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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,070	12/07/2000	Wendy Lynne Koontz	STL000047US1	9735

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EXAMINER

MOSLEHI, FARHOOD

ART UNIT	PAPER NUMBER
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2154

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DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/732,070

**Applicant(s)**

KOONTZ ET AL.

**Examiner**

Farhood Moslehi

**Art Unit**

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-16 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1,2,5,6,9,10,13,14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellison et al. (6,487,547) (hereinafter Ellison).
4. As per claim 1, Ellison teaches a method for monitoring and managing a remote server in a computer system network via a console, wherein one and only one communication line existing between the server and the console, the method comprising the steps of:
  - a) servicing said communication line in the server via a server database management system protocol, by receiving server management operation requests from the console and returning the requested information to the console (e.g. col. 11, lines 59-65); and
  - b) using a server database management system for recognizing the server management operation requests being in a stored procedure call format, and for

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invoking an appropriate stored procedure encoding the requested server management operation (e.g. col. 9, lines 25-31 and figure 1B).

5. As per claim 5, it is rejected for similar reasons as stated above.
6. As per claim 9, it is rejected for similar reasons as stated above.
7. As per claim 13, it is rejected for similar reasons as stated above.
8. As per claim 2, Ellison teaches the method wherein the request for the server management operation comprises one or more commands selected from a group comprising server operating system routines and file I/O routines (e.g. col. 8, lines 45-61).
9. As per claim 6, it is rejected for similar reasons as stated above.
10. As per claim 10, it is rejected for similar reasons as stated above.
11. As per claim 14, it is rejected for similar reasons as stated above.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 3,7,11,15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellison in view of Leung et al. (5,657,447) (hereinafter Leung).
14. As per claim 3, Ellison does not specifically teach the method wherein the file I/O routines being invoked by the server DB2 database management system stored

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procedure calls. Leung teaches the method wherein the file I/O routines being invoked by the server DB2 database management system stored procedure calls. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Ellison with Leung. The motivation would have been to use a move universal database procedure calls such as DB2.

15. As per claim 7, it is rejected for similar reasons as stated above.
16. As per claim 11, it is rejected for similar reasons as stated above.
17. As per claim 15, it is rejected for similar reasons as stated above.
18. Claims 4,8,12,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellison in view of Anand et al. (5,974,416) (hereinafter Anand).
19. As per claim 4, Ellison does not specifically teach the method wherein the returned request information having a database table format. Anand teaches the method wherein the returned request information having a database table format (e.g. Abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Ellison with Anand. The motivation would have been a better way of marshalling data between the console and the server.
20. As per claim 8, it is rejected for similar reasons as stated above.
21. As per claim 12, it is rejected for similar reasons as stated above.
22. As per claim 16, it is rejected for similar reasons as stated above.

### ***Conclusion***

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent number 5,881,232 to Cheng et al.

US Patent number 6,473,807 to Hills et al.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhood Moslehi whose telephone number is 703-305-8646. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fm



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